

Message Text

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ACTION NEA-10

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BRUSSELS FOR USEC-LABATT

PARIS FOR LABATT

E.O. 11652: N/A
TAGS: ELAB, PGOV, TS
SUBJ: UGTT TRIALS IN SOUSSE AND SFAX SET FOR JULY 24

REF: TUNIS 5170

1. SUMMARY. TRIALS OF UGTT OFFICERS AND MEMBERS, 101 IN SOUSSE AND 12 IN SFAX, ARE NOW SLATED TO BEGIN JULY 24, 1978. DEGREE OF PARTICIPATION F FOREIGN OBSERVERS IS STILL OPEN TO QUESTION. ALLEGED CHARGES RANGE FROM SERIOUS--ATTEMPT AGAINST STATE SECURITY--TO NOT-SO-SERIOUS--DISTURBING THE PUBLIC ORDER. DATE AND CIRCUMSTANCES OF TUNIS TRIAL REMAIN UNKNOWN. END SUMMARY.

2. ONE HUNDRED AND ONE DEFENDANTS OF THE UNION GENERAL
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DES TRAVAILLEURS TUNISIENS(UGTT) WERE SLATED TO STAND TRIAL IN SOUSSE JULY 19. PRINCIPAL DEFENDANT IS HABIB BEN ACHOUR (NO RELATION TO HABIB ACHOUR, NATIONAL SECRETARY-GENERAL IMPRISONED IN TUNIS). DEFENSE ATTORNEYS OBJECTED STRENUOUSLY TO THE JUDGE'S PROCEDURES AND REQUESTED TRIAL RESCHEDULING TO PERMIT THEM ACCESS TO AND ACQUAINTANCE WITH THE FULL DOSSIER ON THE CASE. THE

COURT AGREED TO ADJOURN UNTIL JULY 24 BUT DENIED THE CONCURRENT DEFENSE MOTION TO GRANT THE PRISONERS PROVISIONAL LIBERTY.

3. SOURCES TELL US THAT TWO FOREIGN OBSERVERS ARE KNOWN TO HAVE ATTENDED THE JULY 19 SESSION IN SOUSSE: ONE A BRITISH WOMAN REPRESENTING AMNESTY INTERNATIONAL AND A H FRENCH WOMAN REPRESENTING A FRENCH PRIVATE ORGANIZATION. HOWEVER, THESE TWO OBSERVERS MAY HAVE ENTERED THE COUNTRY UNDER FALSE PRETENSES: THE FIRST AS A "RESEARCHER", THE SECOND AS A TOURIST. A THIRD OBSERVER--A JOURNALIST FROM HUMANITE--WAS PRESENT IN SOUSSE BUT BARRED FROM THE COURTROOM. THREE OTHER LAWYER-OBSERVERS ARRIVING FROM PARIS FOR THE TRIAL JULY 17 WERE DENIED ENTRY AT TUNIS

AIRPORT AND DEPORTED ON THE NEXT RETURN FLIGHT (SEE REFTTEL).

4. ACHOUR DEFENSE ATTORNEY SOURCE STATED TO EMBOFF THAT SOUSSE CHARGES WOULD INCLUDE:

A. ATTEMPT AGAINST INTERNAL SECURITY OF THE STATE.

B. INCITING ILLEGAL STRIKE.

C. CACHING ILLEGAL ARMS.
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D. DISTURBING PUBLIC ORDER.

E. INCITING COMMISSION OF CRIMINAL ACTS.

LESSER DEFENDANTS WOULD BE CHARGED WITH ONLY B, D, AND E. HOWEVER, JULY 20 PRESS ACCOUNTS OF THE TWO OF CHARGES DIFFERED SIGNIFICANTLY: THEY INCLUDE INCITING CITIZENS TO ARMED ATTACK; ASSEMBLING ARMED CROWDS IN THE STREETS; MAINTAINING A CACHE OF WEAPONS AND AMMUNITION, COLLECTING AND DISTRIBUTING WEAPONS; AND DISTURBING THE PUBLIC ORDER AND QUIET. THE TOTAL OF CHARGES GIVEN BY THE PRESS, IF ACCURATE, ARE OF A CONSIDERABLY LOWER ORDER THAN THAT OF OUR DEFENSE SOURCES.

5. WHILE NOT YET ON PUBLIC RECORD, ALL SOURCES AGREED THAT THE SAME DATE, JULY 24, DEFINITE FOR THE COMMENCEMENT OF THE SFXXX TRIALS AS WELL. THE PRIMARY DEFENDANT IS MOHAMED CHAABANE, THE SECOND OFFICIAL IN THE SFAX REGIONAL UNIT. HE IS JOINED BY ONLY ELEVEN OTHER DEFENDANTS. EMBASSY OFFICER HAS READ FRENCH TRANSLATION OF REPUTED FINAL REPORT OF THE EXAMINING MAGISTRATE. THAT

DOCUMENT NOTES ONLY ONE CHARGE, NAMELY CRIMINAL CONSPIRACY, AND PRESENTS A LONG NARRATIVE DESCRIBING CHAABANE AND HIS ASSOCIATES' ACTIONS IN FORMENTING PROTESTS AND DEMONSTRATIONS AGAINST THE ARREST OF THEIR LEADER ABDERRAZAK GHORBAL IN TUNIS TWO DAYS BEFORE THE JANUARY RIOTS (NOTE: GHORBAL WILL BE TRIED IN TUNIS, WHERE HE WAS ARRESTED AND HIS INCARCERATED).

6. NONE OF EMBASSY SOURCES ARE POSITIONED TO PREDICT THE TIMING OF THE TUNIS UGTT TRIALS, UPON WHICH POST OBSERVERS ARE FOCUSING.
MULCAHY

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